



He/AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Reinhold OTT

Application No.: 10/532,231

Confirmation No.: 8372

Group Art Unit: 2612

Filed: January 18, 2006

Examiner: Shirley Lu

For: RETAINING COMPONENT FOR SECURING ITEMS

Attorney Docket No.: 40770-000164US

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop Appeal Brief - Patents

July 1, 2009

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Sir:

In response to the Notice of Non-Compliant Appeal Brief mailed June 24, 2009, please consider the following:

It is alleged that the Appeal Brief filed on May 21, 2009 does not contain:

- 1) a concise statement of each ground of rejection presented for review as required under 37 C.F.R. § 41.37(c)(1)(vi); and
- 2) an argument under a separate heading for each ground of rejection on appeal as required by 37 C.F.R. §41.3 (c) (1) (viii).

Appellants respectfully point out that the Grounds of Rejection To Be Reversed Upon Appeal is correct and accurately reflects the grounds of rejection being appealed as further supported in the Arguments section of the Appeal Brief. However, in response to the allegations, a replacement Section III, entitled "Status of Claims", is provided that reflects claims on appeal in accordance with the requirements of 37 C.F.R. § 41.37 (c)(1)(iii) is attached hereto.

As the Appeal Brief is believed to fully comply with 37 C.F.R. § 41.37, Appellants respectfully request that the matter be passed to the Board of Patent Appeals and Interferences for disposition.

If any fee is necessary, it may be charged to Deposit Account No. 08-0750.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By: 

John W. Fitzpatrick, Reg. No. 41,018
P.O. Box 8910
Reston, VA 20195
(703) 668-8000

Attachment:
Status of Claims

DJD/JWF/kas

III. STATUS OF CLAIMS

Claims 1-28 are pending and stand rejected.

Claims 1, 7-18, 20, 22 and 24-28 are on appeal.